WPMB No. 671 of 2003

Hon. P.C. Verma, A.C.J.
Hon. Rajesh Tandon, J.

By means of this writ petition the petitioner has made the following prayers:-

Prayer A is based on newspaper cutting, therefore, we are not in a position of adjudicate the Notification published in the newspaper as the original Notification has not been brought on record. Therefore, prayer No. A is thus refused.

Second prayer is that the Minimum Guarantee relating to Jaspur be fixed on the basis of sales made or quota lifted under the licence permit or pass in the year 2002-2003. The rules have been framed under section 41 of the U.P. Excise Act for imposing of Excise duty according to which the Excise duty is to be fixed. Therefore, prayer No. B is also misconceived and is hereby refused.

Prayer No. C & D are dependent on prayer No. A & B. Since, we have refused prayer No. A & B, we are not inclined to give any relief in respect of prayer No. C & D also. Petition lacks merit and is hereby dismissed.

(R.T, J.) **(P.C.V., A.C, J.)**

Dt. 22.12.2003.
G/H